

Appl. No. : 10/048,142  
Filed : July 16, 2002

### REMARKS

This paper adds new Claims 78-84. Claims 40-77 are unchanged. Claims 40-84 are pending. Reconsideration and allowance of the claims is respectfully requested:

Applicant has amended the specification to provide the relevant priority information, and has added the abstract as requested by the Examiner. The application is a utility application which entered the national stage from an international application filed before November 29, 2000. Furthermore, the reference to a prior application was submitted in a declaration and the information concerning the benefit claim was recognized by the Office as shown by its inclusion on the first filing receipt.

#### Discussion of Claim Rejection under 35 USC § 102(e)

Claims 40-61, 63 and 70-77 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Philips et al. (U.S. Patent No. 5,872,810).

Claims 40, 74 and 75 disclose a communication device for W-CDMA signal transmission and reception comprising, in part, a W-CDMA transmitter having “a digital circuit for phase unbalance precompensation”. Regarding Claims 40, 74 and 75, the Office Action states the following regarding the Philips reference (emphasis added): “The transmitter comprises a digital circuit comprising an input register for holding a compensation angle (column 36, lines 27-36) and the change in the angle is determined by monitoring the carrier phase error in a carrier phase estimation error estimation function 566 (column 36, lines 27-36).” However, column 36 describes Figure 10 which shows a demodulator, which is part of the receiver portion of Philips, and not the transmitter as recited in Claims 40, 74 and 75. The passage in column 36 of Philips describes carrier phase tracking, which is clearly a task performed at the receiver side. On the contrary, Applicant’s digital circuit in the W-CDMA transmitter is intended for precompensating an unbalance between the in-phase and quadrature components of the signal to be transmitted. Therefore, the Philips reference cannot anticipate independent Claims 40, 74 and 75.

Regarding dependent Claims 41 and 70, the averaging programmable low pass filter is not disclosed in Philips.

Regarding Claim 42, the recited circuit is completely different from the circuitry referenced in Philips. Claim 42 recites in part “a set of correlators for frame synchronization and

Appl. No. : 10/048,142  
Filed : July 16, 2002

code group identification". Applicant respectfully submits that there is no such circuitry disclosed in the Philips reference.

Claim 43 recites in part "circuitry to generate data packet transmission". Applicant respectfully submits that there are no provisions at all for such packet transmission in Philips. The circuitry in Philips can only transmit continuously, as long as the transmit chain is switched on (i.e., "circuit switched"). The noise estimator, DSP and gain control referred to in Philips have nothing to do with packet transmission, but instead, are related to a receiver action.

Regarding Claim 57 it is submitted that the recited time interpolator is different from the interpolator in Philips. Claim 57 recites that "the transmitter comprises a time interpolator to perform sub-chip time alignments".

Regarding Claim 58, the Office Action states that the Philips "transmitter is arranged for multi-code transmission (column 1, lines 17-42)". Applicant respectfully submits that multi-code transmission is not discussed in the cited passage of Philips.

In Claim 59, Applicant recites in part "a demodulator assigned to track multi-path components received from one base station". Multi-path components are transmitted signal components that have taken a different path towards the receiver. Applicant respectfully submits that no means are provided for tracking multi-path components in Philips. All received signals in Philips must be synchronous.

#### Dependent Claims

Although Applicant has not addressed all the issues of the dependent claims, Applicant respectfully submits that Applicant does not necessarily agree with the characterization and assessments of the dependent claims made by the Examiner, and Applicant believes that each claim is patentable on its own merits. Claims 41-73 and 76-77 are dependent either directly or indirectly on the above-discussed independent claims. Applicant respectfully submits that pursuant to 35 U.S.C. § 112, ¶4, the dependent claims incorporate by reference all the limitations of the claim to which they refer and include their own patentable features, and are therefore in condition for allowance. Therefore, Applicant respectfully requests the withdrawal of all claim rejections and prompt allowance of the claims.

Appl. No. : 10/048,142  
Filed : July 16, 2002

Allowable Subject Matter

Claims 62 and 64-69 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. Accordingly, Applicant has rewritten Claims 62 and 64-69 as new Claims 78-84.

Conclusion

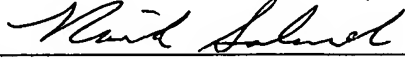
In view of the foregoing remarks, Applicant respectfully submits that the claims of the above-identified application are in condition for allowance. However, if the Examiner finds any impediment to allowing all claims that can be resolved by telephone, the Examiner is respectfully requested to call the undersigned.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 8-18-2006

By:   
Raimond J. Salenieks  
Registration No. 37,924  
Agent of Record  
Customer No. 20,995  
(619) 235-8550

2763890  
071806